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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,389	03/12/2004	Frank W.R. Chaplen	245-67734-01	3168

24197 7590 07/05/2006

KLARQUIST SPARKMAN, LLP  
121 SW SALMON STREET  
SUITE 1600  
PORTLAND, OR 97204

EXAMINER
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SIMS, JASON M

ART UNIT	PAPER NUMBER
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1631

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060626

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

This is in response to Applicant's election on 4/13/2006.

The reply filed on 4/13/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): It is acknowledged that Applicant's elected group I, claims 1-94 and 108-117 in their response on 4/13/2006 to the restriction requirement mailed out on 2/10/2006. In addition, it is acknowledged that Applicant's elected species A of group I, living cells. However, in the restriction requirement mailed out on 2/10/2006, Applicant's were required to elect two subspecies groups with respect to species A of group I, with possible other subspecies election requirements depending on the election, but Applicants did not properly meet all the restriction requirements in their response filed on 4/13/2006. Therefore, the Applicant's communication is considered Non-Responsive with respect to the restriction requirement. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Sims, whose telephone number is (571)-272-7540.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Wang can be reached via telephone (571)-272-0811.

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the Central PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993) (See 37 CFR § 1.6(d)). The Central PTO Fax Center number is (571)-273-8300.

Any inquire of a general nature or relating to the status of this application should be directed to Legal Instrument Examiner, Tiffany Tabb, whose telephone number is (571)-272-0556.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR)

*John S. Brusca*  
26 June 2006  
**JOHN S. BRUSCA, PH.D**  
**PRIMARY EXAMINER**

system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*John S. Brusca 26 June 2006*

**JOHN S. BRUSCA, PH.D**  
**PRIMARY EXAMINER**